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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : Matthew P. J. Baker ATTY DOCKET NO.: PHB 34,348
SERIAL NO. : 09/580,167 EXAMINER : Adnan M. Mirza
FILED : May 30, 2000 ART UNIT : 2145
FOR: METHOD OF, AND A HETEROGENEOUS NETWORK FOR,
TRANSMITTING DATA PACKETS

NOTICE OF APPEAL

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the Decision dated of January 26, 2006 the Primary Examiner finally rejecting claims 1-19.

Applicant respectfully request that the fee for the Notice of Appeal is not warranted as the prosecution was reopened by the Examiner prior to a decision on the merits by the Board of Patent Appeals and Interferences.

A duplicate copy of this paper is enclosed for your convenience.

Applicants reserve the right to request an Oral Hearing.

Respectfully submitted,
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Date: June 1, 2006

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to MAIL STOP AF, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA. 22313 on June 1, 2006.

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(Name of Registered Rep.)

(Signature and Date)